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December 30, 2024

VIA ECF

Honorable Sidney H. Stein
United States District Judge
Southern District of New York
500 Pearl Street, Courtroom 23A
New York, New York 10007

MEMO ENDORSED

January 10, 2025
Application denied.
So ordered.
Sidney H. Stein
U.S.D.J.

Re: ***United States of America v. Menendez, et al.,***
Dkt. No. 23-cr-490-SHS

Dear Judge Stein:

As Your Honor is aware, this firm represents defendant Wael Hana in the above-captioned matter. Mr. Hana is currently scheduled to be sentenced at 11:00 a.m. on January 29, 2024. ECF No. 617. I write to respectfully request a very brief, two-day adjournment of that date due to a trial conflict in another matter, for the reasons set forth below.

Specifically, I represent the lead defendant in the matter of *United States v. Johnston, et al.*, Dkt. no. 1:20-cr-800-ESK, which is currently pending before the Honorable Edward S. Kiel in the District of New Jersey. Last week, a final pretrial conference was held in that matter; the Court indicated that jury selection will begin on January 21, and that the trial itself will likely begin on January 23, 2024, and last for 4-6 weeks. However, the Court also indicated that it would likely not sit on Fridays, potentially leaving Friday, January 31, 2024 open for Mr. Hana's sentencing before Your Honor. In order not to disrupt that trial, and also not request the longer continuance of the sentencing which this Court has just denied to co-defendant Menendez, we make this very modest request of Your Honor; given the new schedule the Court has set for Nadine Menendez's trial, this new date would not interfere with that trial.

I sought the Government's consent to this brief extension, but have not received any response and, given the Court's decisions of this morning, did not want to delay making this request any longer. I thank the Court for Your Honor's kind consideration of this request. Of course, if the Court has any questions or concerns, please do not hesitate to contact me.

Respectfully submitted,

s/ Lawrence S. Lustberg
Lawrence S. Lustberg

cc: All counsel of record (via ECF)